

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE**

UNITED STATES OF AMERICA,

Plaintiff,

V.

Land and Buildings Located at 4 Meetinghouse Terrace, Bedford, NH, with all Appurtenances and Improvements Thereon, owned by Edward Baroody and Esther Baroody, et al.,

Defendants in Rem

SECRET DOCUMENT

Civil No. 05-178-JD

**ORDER ON ASSENTED-TO MOTION TO SUBSTITUTE \$25,000
IN U.S. CURRENCY AS RES FOR DEFENDANT IN REM
277 WEIRS BEACH BLVD , UNIT 18, LACONIA, NEW HAMPSHIRE,
TO DISMISS DEFENDANT-IN-REM 277 WEIRS BEACH BLVD ,
UNIT 18, LACONIA, NEW HAMPSHIRE, AND FINAL ORDER OF
FORFEITURE AS TO SUBSTITUTE RES \$25,000 IN U.S. CURRENCY**

On May 25, 2005, the United States commenced an action by Verified Complaint for Forfeiture in Rem, seeking, *inter alia*, the forfeiture of the defendant in rem real property 277 Weirs Beach Blvd., Unit 18, Laconia, New Hampshire, titled to Bele Sales and Rentals, LLC, pursuant to 21 U.S.C. § 881(a)(6). An Amended Verified Complaint was filed on July 1, 2005. This Complaint, and Notice of Complaint, were served on all known potential claimants, including Edward C. Berthiaume, member/manager of Bele Sales and Rentals, LLC, which was served on October 29, 2005.

Edward C. Berthiaume has filed a claim on behalf of Bele Sales and Rentals, LLC.

The United States and claimant Bele Sales and Rentals, LLC have reached an agreement which provides for the substitution of \$25,000.00 in United States funds for the *res* of the defendant in rem, 277 Weirs Beach Blvd., Unit 18, Laconia, New Hampshire, and for the forfeiture of the substitute *res*.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED:

A. That the sum of \$25,000.00 in U.S. Currency is hereby substituted as the *res* for the defendant in rem 277 Weirs Beach Blvd., Unit 18, Laconia, New Hampshire;

B. That the defendant in rem 277 Weirs Beach Blvd., Unit 18, Laconia, New Hampshire is hereby dismissed from this proceeding;

C. That all rights, title and interests to the substituted defendant in rem \$25,000.00 in United States Currency is hereby condemned, forfeited and vested in the United States of America pursuant to 21 U.S.C. §§ 881(a)(6), free from the claims of any other party.

D. That the substituted defendant in rem \$25,000.00 in United States Currency shall be disposed of by United States Immigration and Customs Enforcement/United States Department of the Treasury in accordance with the applicable law and regulations. These funds, less costs to United States Immigration and Customs Enforcement/United States Department of the Treasury associated with the defendant in rem 277 Weirs Beach Blvd., Unit 18, Laconia, New Hampshire, shall be deposited into the Department of Treasury Asset Forfeiture Fund in accordance with applicable law and regulations..

E. That Edward C. Berthiaume and Bele Sales and Rentals, LLC shall bear their own costs of this proceeding, including attorney's fees, if any.

The Clerk is hereby directed to send two certified copies of this Order to United States Attorney's Office, Attention: Assistant U.S. Attorney Robert J. Rabuck.

Dated: October 19, 2006

/s/Joseph A. DiClerico, Jr.
UNITED STATES DISTRICT JUDGE